

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

ROY E. HAZZLE

PLAINTIFF

VERSUS

CAUSE NO. 1 : 14 CV 152 - SA - DAS

ABERDEEN SCHOOL DISTRICT

DEFENDANT

JURY TRIAL DEMANDED

COMPLAINT

This is an action to recover actual and liquidated damages and injunctive relief for age discrimination. The following facts support this action:

1.

Plaintiff ROY E. HAZZLE is an adult resident citizen of 117 Drake Avenue, Aberdeen, Mississippi 39730.

2.

Defendant ABERDEEN SCHOOL DISTRICT is a political subdivision of the State of Mississippi. Defendant School District may be served with process through its Conservator, Mr. Mac Curlee, at 1100 West Commerce Street, Aberdeen, Mississippi 39730.

3.

This Court has federal question jurisdiction under 28 U.S.C. § 1331 and civil rights jurisdiction under 28 U.S.C. § 1343, for a cause of action authorized by 42 U.S.C. § 1983. Defendant is an employer within the meaning of the Age Discrimination in Employment Act, 29 U.S.C. § 621.

4.

Plaintiff is sixty-one (61) years old. Plaintiff was employed by Defendant for thirty-six (36) years. Plaintiff coached basketball, with excellent success. He is a certified educator in physical education.

5.

Defendant went into a Conservatorship during the 2011-2012 school year. Thereafter, in late April/early May 2013, the then-Conservator, Robert Strebeck, informed Plaintiff that because of financial needs, Defendant was reducing Plaintiff's salary to \$5,000.00. After Plaintiff questioned the decrease in his salary, the then-Conservator Strebeck then told Plaintiff that he needed a "new leader [who] must be present all school day." While Plaintiff was not present all school day, he was not asked to be present. Plaintiff was asked to be present only to coach basketball. Plaintiff could easily have been present had it been requested. Plaintiff was then terminated on May 14, 2013.

6.

After discharging Plaintiff, Defendant then hired a twenty-eight (28) year old replacement. This replacement was not certified in any area.

7.

But-for Plaintiff's age, he would not have been terminated and would have been given a chance to continue to work as a full-time basketball coach and do any other duties during the day which were required by Defendant.

8.

Plaintiff has filed an EEOC Charge, attached hereto as Exhibit "A," and received the right to sue letter, attached hereto as Exhibit "B."

9.

Plaintiff has suffered mental anxiety and stress and lost income as a result of Defendant's actions.

REQUEST FOR RELIEF

Plaintiff requests actual and liquidated damages in an amount to be determined by a jury, for an injunctive relief reinstating him to his employment. Plaintiff also requests reasonable attorneys' fees, costs and expenses.

RESPECTFULLY SUBMITTED, this the 28th day of August, 2014.

ROY E. HAZZLE, Plaintiff

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